

**REMARKS**

Claims 1-31 are pending in this application. By this Amendment, claims 1, 6, 13, 14, 19 and 26-31 are amended. No new matter is added.

In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Armstrong in the March 10 personal interview and March 17 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

**I. The Claims Define Patentable Subject Matter**

**A. Claims 1-3 and 14-16**

The Office Action rejects claims 1-3 and 14-16 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,799,276 to Komissarchik et al. in view of U.S. Patent No. 6,544,039 to Fiedorowicz et al. This rejection is respectfully traversed.

As discussed during the personal interview, none of the applied references teach or suggest a method of dynamic personalized reading instruction that includes "determining word recognition errors based on user comprehension of a word using at least one comprehension aid provided to the user," as recited in claim 1. Similarly, none of the applied references teach or suggest a system of dynamic personalized reading instruction that includes "a recognition error determining circuit for determining user recognition errors," as recited in claim 14.

As acknowledged by the Office Action, Komissarchik does not relate to using comprehension aids that are provided to a user for providing dynamic personalized reading instruction. Komissarchik only relates to a knowledge based speech recognition apparatus and methods for translating input signal to text. The system of Komissarchik analyzes the speaker's utterance by employing knowledge of acoustics, phonetics, syntax and the semantics

of a second language, and to select with high confidence the word corresponding to the spoken utterance from a large vocabulary. See, e.g., col. 5, lines 17-27. The system of Komissarchik presents words for which confidence level falls below the predetermined threshold on the screen of display in a flagged format to attract the user's attention. See, e.g., col. 16, lines 19-21. Because the system of Komissarchik only presents words for which the computer's confidence falls below the predetermined threshold, the system of Komissarchik and the claimed invention are different.

Further, Fiedorowicz does not remedy this deficiency. Fiedorowicz is cited to teach the method of teaching reading in which students receive instruction in component skills and practice the use of the skills in comprehension exercises. As neither Komissarchik or Fiedorowicz teaches or suggests determining word recognition errors based on user comprehension of the word, the combination of references do not teach or suggest the system and method of claims 1 and 14.

Thus, for at least these reasons, claims 1 and 14, and the claims dependent therefrom, would have not been rendered obvious by Komissarchik in view of Fiedorowicz. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

**B. Claims 28 and 30**

The Office Action rejects claims 28 and 30 under 35 U.S.C. §103(a) as allegedly being patentable over U.S. Patent No. 5,634,086 to Rtischev et al. in view of Fiedorowicz. This rejection is respectfully traversed.

As discussed during the personal interview, none of the applied references teach or suggest a program usable for dynamic personalized reading instruction that includes "instructions for determining a second word recognition level of a user, the first word recognition level being dynamically adjusted based on the determined word recognition errors," as recited in claim 28 and similarly recited in claim 30. See, e.g., paragraph [0022]

Rtischev relates to a spoken-language instruction method and apparatus which employs context-based speech recognition for instruction and evaluation. See, e.g., Rtischev, Abstract. The system of Rtischev includes an interactive decision mechanism which employs at least three levels of error only to simulate a natural level of patience. See, e.g., Rtischev, Abstract. Because Rtischev does not determine a second word recognition level of the user, the first word recognition level being dynamically adjusted based on the determined word recognition errors, the claimed system and the system of Rtischev are different.

Further, Fiedorowicz does not remedy the deficiency. Fiedorowicz is only cited for allegedly teaching a method of teaching reading in which students receive instruction component skills and practice the use of the skills in comprehension exercises. As neither Rtischev nor Fiedorowicz teach or suggest the first word recognition level being dynamically adjusted based on the determined word recognition errors, the combination of references do not teach or suggest the program of claims 28 and 38.

Thus, for at least these reasons, claims 28 and 30 would not have been rendered obvious by Rtischev in view of Fiedorowicz. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**C. The Rejection of Claims 4, 5, 17 and 18**

The Office Action rejects claims 4, 5, 17 and 18 under 35 U.S.C. §103(a) as allegedly being unpatentable over Komissarchik in view of Fiedorowicz and further in view of U.S. Patent No. 4,456,973 to Carlgren et al.

Claims 4 and 5 depend from claim 1 and claims 17 and 18 depend from claim 14. Thus, for at least the reasons discussed above with regard to claims 1 and 14, claims 4, 5, 17 and 18 would not have been rendered obvious by Komissarchik in view of Fiedorowicz and further in view of Carlgren. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

**D. Claims 6-12 and 19-25**

The Office Action rejects claims 6-12 and 19-25 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,366,759 to Burstein et al. in view of Carlgren and further in view of Fiedorowicz. These rejections are respectfully traversed.

As discussed during the personal interview, none of the applied references teach or suggest a method of dynamic personalized reading instruction that includes "determining user comprehension of the text using at least one comprehension aid provided to the user; and determining a further user reading levels based on the user comprehension and reading level," as recited in claim 6. Similarly, none of the applied references teach or suggest a system for dynamic personalized reading instruction that includes a "a controller for determining a new reading level of the user based on at least one of the determined user comprehension and reading speed," as recited in claim 19.

Burstein relates to a method of grading an essay using an automatic scoring system. See, e.g., Burstein, Abstract. Because Burstein discloses a computer-based system designed to automatically score an essay response, Burstein does not relate to determining user comprehension of the text using at least one comprehension aid provided to the user.

Further, Carlgren and Fiedorowicz do not remedy this deficiency. Carlgren relates to a system for proofreading a text document and automatically detecting and replacing the text words in the document based on intended audience. See, e.g., Carlgren, Abstract. Thus, the system of Carlgren does not determine the user comprehension of the text.

Finally, Fiedorowicz, as discussed above, is only cited for allegedly disclosing a method of teaching or reading in which students receive instruction in component skills and practice the use of skills in comprehension exercises.

Thus, for at least these reasons, claims 6 and 19, and the claims dependent therefrom, would not have been rendered obvious by Burstein in view of Carlgren and further in view of

Fiedorowicz. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

**E. Claims 9-12 and 22-25**

The Office Action rejects claims 9-12 and 22-25 under 35 U.S.C. §103(a) as allegedly being unpatentable over Burstein in view of Carlgren and Fiedorowicz and further in view of Komissarchik. This rejection is respectfully traversed.

Claims 9-12 depend from claim 6 and claims 22-25 depend from claim 19. Thus, for at least the reasons discussed above, claims 9-12 and 22-25 have now been rendered obvious by Burstein in view of Carlgren and Fiedorowicz and further in view of Komissarchik. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

**F. Claims 13, 26 and 27**

The Office Action rejects claims 13, 26 and 27 under 35 U.S.C. §103(a) as allegedly being unpatentable over Carlgren in view of Komissarchik and further in view of Fiedorowicz and Rtischev.<sup>1</sup> This rejection is respectfully traversed.

As discussed during the personal interview, none of the applied references teach or suggest a system of dynamic personalized reading instruction that includes "a comprehension aid display circuit for displaying comprehension aids to the user based on the determined user recognition errors," as recited in claim 26. Similarly, none of the applied references teach or suggest a method of dynamic personalized reading instruction that includes "determining user comprehension errors for text, displaying comprehension aids based on at least the determined user comprehension errors, a language of instruction . . . ," as recited in claim 27, as well as the step of "determining user word recognition errors based on user comprehension of a word using at least one comprehension aid provided to the user," as recited in claim 13.

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<sup>1</sup> During the personal interview, the Examiner indicated claim 13 was missing from this rejection.

As discussed above, Carlgren only relates to a system for proofreading a text document and detecting and replacing text words in the document. See, e.g., Carlgren, Abstract. Thus, as discussed above, Carlgren does not relate to displaying comprehension aids based on the determined user comprehension errors. Likewise, as discussed above, Komissarchik, Fiedorowicz and Rtischev do not remedy these deficiencies.

Thus, for at least these reasons, claims 13, 26 and 27 would not have been rendered obvious by Carlgren in view of Komissarchik and further in view of Fiedorowicz and Rtischev. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

**G. Claims 29 and 31**

The Office Action claims 29 and 31 under 35 U.S.C. §103(a) as allegedly being unpatentable over Carlgren in view of Fiedorowicz and further in view of Burstein. This rejection is respectfully traversed.

As discussed above, none of the applied references teach or suggest a program usable for dynamic personalized reading instruction that includes "instructions for determining user comprehension of the text using at least one comprehension aid provided to the user," as recited in claim 29 and as similarly recited in claim 31. Carlgren, as discussed above, only relates to a system for proofreading a text document and detecting and replacing text words in the document. Likewise, as discussed above, Fiedorowicz and Burstein do not remedy these deficiencies.

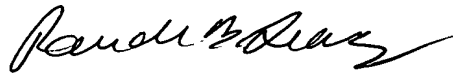
Thus, for at least these reasons, claims 29 and 31 would not have been rendered obvious by Carlgren in view of Fiedorowicz and further in view of Burstein. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

**II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: March 17, 2005

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